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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, AUGUST 2, 2002

APPLICATION OF

ERNEST COMMUNICATIONS
OF VIRGINIA, INC.

CASE NO. PUC-2002-00078

For a certificate of public
convenience and necessity
to provide local exchange
telecommunications services

ORDER FOR NOTICE AND COMMENT

On July 19, 2002, Ernest Communications of Virginia, Inc. ("Ernest" or "Applicant"), completed an application for a certificate of public convenience and necessity ("certificate") with the State Corporation Commission ("Commission") to provide local exchange telecommunications services throughout the Commonwealth of Virginia.

NOW UPON CONSIDERATION of the application, the Commission is of the opinion and finds that Ernest's application should be docketed; that the Applicant should give notice to the public of its application; that interested parties should have an opportunity to comment and request a hearing on Ernest's application; and that the Commission Staff should conduct an investigation into the reasonableness of the application and present its findings in a Staff Report.

Accordingly, IT IS ORDERED THAT:

(1) This case is docketed and assigned Case No. PUC-2002-00078.

(2) On or before August 21, 2002, the Applicant shall complete publication of the following notice to be published on one (1) occasion as classified advertising in newspapers having general circulation throughout the Applicant's proposed service territory:

NOTICE TO THE PUBLIC OF AN APPLICATION
BY ERNEST COMMUNICATIONS OF VIRGINIA, INC.,
FOR A CERTIFICATE OF PUBLIC CONVENIENCE
AND NECESSITY TO PROVIDE LOCAL EXCHANGE
TELECOMMUNICATIONS SERVICES THROUGHOUT
THE COMMONWEALTH OF VIRGINIA
CASE NO. PUC-2002-00078

On July 19, 2002, Ernest Communications of Virginia, Inc. ("Ernest" or "Applicant"), filed an application with the State Corporation Commission ("Commission") for a certificate of public convenience and necessity ("certificate") to provide local exchange telecommunications services throughout the Commonwealth of Virginia.

Copies of the application are available for public inspection between the hours of 8:15 a.m. and 5:00 p.m., Monday through Friday, in the Commission's Document Control Center located on the first floor of the Tyler Building, 1300 East Main Street, Richmond, Virginia, or can be ordered from Ernest's counsel, Valerie M. Furman, Esquire, Dickstein Shapiro Morin & Oshinsky LLP, 2101 L Street, N.W., Washington, D.C. 20037.

Any person desiring to comment on Ernest's application for a certificate to

provide local exchange telecommunications services may do so by directing such comments in writing on or before September 5, 2002, to the Clerk of the Commission at the address listed below and shall serve a copy of the same on or before September 5, 2002, upon Ernest's counsel at the address set forth above.

Any person may request a hearing on Ernest's application by filing an original and fifteen (15) copies of its request for hearing on or before September 5, 2002, with the Clerk of the Commission at the address set out below. Requests for hearing must state with specificity why a hearing should be conducted. Persons filing a request for hearing shall serve a copy of their request on or before September 5, 2002, upon Ernest's counsel at the address set forth above.

All written communications to the Commission concerning Ernest's application should be directed to Joel H. Peck, Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218, and should refer to Case No. PUC-2002-00078.

ERNEST COMMUNICATIONS OF VIRGINIA, INC.

(3) On or before August 21, 2002, Applicant shall provide a copy of the notice contained in ordering paragraph two (2) to each local exchange telephone carrier certificated in Virginia and each interexchange carrier certificated in Virginia by personal delivery or first-class mail, postage prepaid, to the customary place of business. Lists of all current local exchange and interexchange carriers in Virginia are attached to this Order as Appendices A and B, respectively.

(4) Any person desiring to comment in writing on Ernest's application for a certificate to provide local exchange telecommunications services may do so by directing such comments on or before September 5, 2002, to the Clerk of the Commission at the address set forth below. On or before September 5, 2002, a copy of such comments shall be served on Ernest's counsel, Valeria M. Furman, Esquire, Dickstein Shapiro Morin & Oskinsky LLP, 210 L Street, N.W., Washington, D.C. 20037. Comments must refer to Case No. PUC-2002-00078.

(5) On or before September 5, 2002, any person wishing to request a hearing on Ernest's application for a certificate to provide local exchange telecommunications services shall file an original and fifteen (15) copies of its request for hearing in writing with Joel H. Peck, Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218. Written requests for hearing shall refer to Case No. PUC-2002-00078 and shall state the following:

- (i) a precise statement of the interest of the filing party;
- (ii) a statement of the specific action sought to the extent then known;
- (iii) a statement of the legal basis for such action; and
- (iv) a precise statement why a hearing should be conducted in the matter.

Copies shall also be served on the Applicant at the address set forth above.

(6) On or before September 20, 2002, the Applicant shall file with the Commission proof of notice and proof of service as ordered herein.

(7) The Commission Staff shall analyze the reasonableness of Ernest's application and present its findings in a Staff Report to be filed on or before September 26, 2002.

(8) On or before October 4, 2002, the Applicant shall file with the Clerk of the Commission an original and fifteen (15) copies of response to the Staff Report or parties' objections and requests for hearing. A copy of the response shall be delivered to Staff and the other parties by overnight delivery.

(9) The Applicant shall respond to written interrogatories or data requests within seven (7) days after the receipt of the same. Parties shall provide to the Applicant, other additional parties, and Staff any workpapers or documents used in preparation of their requests for hearing, promptly upon request. Except as so modified, discovery shall be in accordance with Part IV of the Commission's Rules of Practice and Procedure.

(10) The Applicant shall respond promptly to requests from interested parties for copies of the Application and shall provide one copy of same free of charge to the requesting party.

(11) This matter is continued generally.